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It is a common misperception that Microsoft built its monopoly upon the proprietary nature of its Windows operating system. In truth, Microsoft built its monopoly upon the proprietary and secret nature of its communication protocols. One historically important example of a proprietary communication protocol is the secret file format utilized by Microsoft application programs such as Microsoft Word and Microsoft Excel.

Because Microsoft wholly controls its secret communication protocols it has the ability to modify a specific protocol with each upgrade to an application program that uses said protocol. For example, when Microsoft issues an update for an application program such as Microsoft Word it has the ability to modify the file format used to encode Microsoft Word documents. Because Microsoft holds a monopoly within the application space that Microsoft Word competes the change in file format triggers a chain reaction of events. Once a critical mass of users adopts the new application program using the modified communication protocol (in this case the Microsoft word file format) other users are compelled to purchase the new version of the application program because the older version cannot understand and use the new protocol. People who wish to communicate within this particular space but who do not own Microsoft Word are compelled to purchase it, not because because the program offers innovative new features, but simply because the application program uses a proprietary protocol. Microsoft possesses both a monopoly and a secret proprietary protocol in many application spaces. This fact compels users to purchase Microsoft products instead of potentially superior competing products, and it allows Microsoft to set the price for these products at artificially high levels.

This situation amounts to a de facto arbitrary tax on communication imposed by a private entity.

The simplest and fairest solution with the best opportunity for success is to compel Microsoft to publicly document all of its communication protocols, including, but not limited to, all of its file formats. This solution is the fairest because it allows all competitors, including Microsoft, to innovate with respect to application features and performance, letting the market determine the price. It also frees users who wish to communicate within a particular space from the compulsion of purchasing Microsoft products.

The simplest and best method for enforcing this behavior is to require the government to confiscate any and all revenue derived from each and every Microsoft product that directly utilizes, or contains any sub

component which utilizes, any communication protocol that is not completely documented, including, but not limited to, file formats.